interpolated. And, sir, as to what I say, I call upon the Senator from California, (Mr. Gwin,) the Senator who sits near me, and who propounded the interrogatory, (Mr. Butler,) the Senator from Louisiana, (Mr. SLIDELL,) who also sits near me, and the Senator from Texas, (Mr. Busk,) who sat close by the Senator from Massachusetts, I appeal to all of them, honorable men, to state whether a speal to all of them, honorable men, to state whether that reporter's own report was not correct, and the inter-polation of the Senator from Massachusetts incorrect? Sir, this qualification of the Senator is a precious after-thought, hatched by many houraof incubation. Mr. SUMNER. What qualification? Mr. CLAY. The qualification which I shall read. The PRESIDING OFFICER. It is not in order for the

The PRESIDING OFFICER. It is not in order for the Senator from Massachusetts, while sitting in his seat, to interrupt the Senator from Alabama.

Mr. CLAY. Here is the qualification. The Senator from South Carolina asked the Senator from Massachusetts whether, if the fugitive slave act ware repealed, he would fulfil the obligation of his oath and maintain and support the Constitution by returning, in conformity to its requirements, a fugitive slave. Here is the real answer, and I shall show what is the pretended answer. He said, "Does the Senator ask me what I would do?" and then answered, "Is thy servant a dog that he should do this thing?" Now, sir, what was the question propounded? Whether he would maintain the Constitution, whether he would fulfil its provisions, if the fugitive slave act was repealed? What was his reply? "Does the Senator ask me what I would do?" 'Is thy servant a dog that he should do this thing?" What was the inference, the universal inference, of the Senate from this denial? Why, that he would violate the Constitution; that he was willing to prove his desecration of this Senate chamber with his tread and his pollution of the Holy Evangelists willing to prove his desecration of this Senate chamber with his tread and his pollution of the Holy Evangelists with his lips by violating a solemn oath; that he was wil-ling to commit moral perjury—a crime in the eyes of God and honorable men as odious and as infamous as that and honorable men as odious and as infamous as that legal perjury which would be vited with the penitentiary or with branding of the later "P" upon the hand or forehead. That was the rence, the legitimate inference. How does he endeavor to shirk it? How does he endeavor to avoid the last and condign sentence of condemnation visited upon im to every honorable mind in this Senate? Why, sir, by going to that reporter and foisting into the report words which he never uttered, materially qualifying his denial. And what are those words? I will now read them to the Senate: "Does the words? I will now read them to the Senate: "Does the Senator ask me what I would do?" was his language; Senator ask me what I would do?" was his language; and his response, "'Is thy servant a dog that he should do this thing?" Here, though, is what he placed in the report and says that he said: "Does the honorable Senator ask me if I would personally join in sending a fellowman into bondage?" I say those words were never uttered. I appeal to those honorable men who sat near him to say whether they were uttered. I do not believe he can find anybody here to sustain him, unless it be his confrère and uniform supporter, (Mr. Chase,) who was suggesting to him responses, and who sits near him. If he said it, he spoke it sub rosa—in a whisper. I would rather believe, to make the best of it, that it was one of those mental reservations with which he took his oath; rather believe, to make the best of it, that it was one of those mental reservations with which he took his oath; but I do not even believe that there was any mental reservation. He did utter and he did mean what was charged by the Senators from South Carolina, (Mr. Burlun,) from Virginia, (Mr. Mason,) and from Indiana, (Mr. Pertir;) but after he found the indignation it invoked upon his head, and heard the denunciations hurled at him from every quarter, and saw the smile of scorn that played upon every face, he shrunk from the words he uttered. upon every face, he shrunk from the words he uttered, and endeavored to make an instrument of the reporter of this body to shield him from the infamy which he deserved. Mr. MALLORY. Mr. President—
Mr. CLAY. Excuse me one moment. I am not in the

habit of trespassing often on the Senate. Mr. President, I could go on and show that there is intrinsic evidence in I could go on and show that there is intrinsic evidence in this report to sustain the original report of the reporter; and what is it? Why, sir, that, notwithstanding this qualified denial, the Senator from South Carolina treated it as a positive denial of the Senator from Massachusetts that he would support the Constitution of the United States. Now, I ask, does any intelligent man believe, if the Senator had qualified that denial in the manner in the state of the senator from South Carolina in the manner in the senator from South Carolina in the senator from South Car which it appears now, that the Senator from South Caro-lina would still have maintained that he refused to obey his oath, that he had refused to sustain the Constitution? Mason) would have repeated the charge? Does any one believe that the Senator from Indiana (Mr. Perrir) would also have repeated it? Certainly not. Then there is intrinsic evidence in the report itself that these words have

been interpolated, that they were not uttered.

Now, Mr. President, I have a few more words to say, which I utter with great diffidence, and with the pro-foundest deference to older Senators on this floor. We have no means of preventing these violations of the dig-nity and proprieties of the Senate. There is no penal statute which can reach a man who only avows his wilstatute which can reach a man who only avows his willingness to commit a crime. But, let me ask, suppose a private citizen, however wealthy and well born, however highly cultivated his mind, however great his talents or rich his acquirements, should openly avow a readiness to commit moral perjury; should day by day evince a disposition to instigate other men to crime, which, from want of personal courage, he did not dare perpetrate himself; should daily encourage other men to violate the rights of his neighbors, to steal their property, to kidnap their slaves, and to refuse to return them; should daily assail the feelings of his neighbors by wanton, rude, and uncalled-for assaults upon their characters, and when rebuked for it in the harshest, most offensive, and opprobrious language, like the spaniel, should quietly submit or beg for quarter, but never repair the wrong or resent the insult—a sneaking, sinuous, snake-like poltroon, who would violate all the rights of associates or friends, and never make reparation or acknowledge his error, and who held himself irresponsible to all law, feeling the obligation neither of the Divine law, nor of the law of the land, nor of the law of honor; I ask you, how would such a tion neither of the Divine law, nor of the law of the land, nor of the law of honor; I ask you, how would such a miscreant be treated? Why, if you could not reach him with the arm of the municipal law, if you could not send him to the penitentiary, you would send him to Coventry. You would exclude him from the pale of society; you would neither extend to him the courtesies that are shown gentlemen, nor permit him to offer such to you. You would make him feel that he was shunned like a leper and loathed like a filthy reptile; and you would soon render him as impotent for evil as he was disinclined for good.

Such characters, though rare, may be found, and have been known. I can give, from memory, the general outlines of one portrayed by Mr. Dickens, in his novel, David Copperfield—that of Uriah Heap. Uriah was mean, yet affected honor; was malignant, yet feigned benevolence; presumptuous, yet pretended humility; instigated others to their commission, yet bore himself with studied amenity of manners and choice expressions of benignity. We have such a character on this floor. I have suggested our means of rebuking, if we cannot silence him; of disabling, if we cannot disarm him. If we cannot check individual abuses, we may preserve the dignity of this body. If we cannot restrain or prevent this eternal warfare upon the feelings and rights of Southern gentlemen, we may rothe sorpent of his fangs. We can paralyze his influence by placing him in that nadir of social degradation which he merits. I am surprised, I repeat, I am surprised that honorable men, but especially Southers men, should so far forget their rights, and those of their constituents, and their duties to them as well as to themselves, as to lend any countenance to such a character as I have nortrayed. Such characters, though rare, may be found, and have lend any countenance to such a character as I have

Mr. MALLORY. Mr. President, when I gave way to my friend from Alabama, (Mr. Clart,) I had remarked that the Scuator from Massachusetts, who sits near me, (Mr. Suxiner.) had here, in the face of the country, in the presence of the Scnate, at the foot of that altar whereon he had pledged his fidelity to his country, and sworn to maintain and defend her Constitution, risen and disclaimed the obligations of the Constitution. I was interrupted by the Scnator, who said that I had put words into his mouth which he did not utter. Sir, I deny it. I acknowledge that I heard the declaration with equal regret and indignation; and, as unwilling as I am to say any thing which the rules of the Scnate do not justify or the occasion demand, I am still more unwilling to stand here and permit such language to pass without some note of condemnation. Sir, I heard the honorable and here and permit such language to pass without e note of condemnation. Sir, I heard the honorable stor say, in open Senate, "I recognise no such obli-on." Whether that appears in the report or not, I

Mr. SUMNER. It is there, and I repeat it now. Mr. MALLORY. Sir, if the Senator will exami

the Senator has said elsewhere, I cannot but recollect that there was a gentleman in Boston who, upon a certain public occasion, apostrophised in this manner the President of the United States who signed the fugitive slave law: "There are depths of infamy as there are heights of fame, and better for him had he never been born, better for his posterity had he never lived, than that he should have signed such an act." However vindictively and treasonably that may have been said, it can more properly be applied to the man who approaches such an altar as this is, in such a presence as this, and say he does not recognise, under the Constitution, his obligation to return or deliver up fugitive slaves. I do not speak now in his individual capacity as a citizen, but as a legislator, standing in these halls, to whom the American people look at least for truth, if not for guidance. east for truth, if not for guidance.

Mr. SUMNER said: Mr. President, since I had the honor of addressing the Senate two days ago various Senators have spoken. Among these several have alluded to me in terms clearly beyond the sanctions of parliamentary debate. Of this I make no complaint, though, for the honor of the Senate at least, it were well that it were otherwise. If to them it seems fit, courteous, par

liamentary "----- to unpack the heart with words, And fall a cursing, like a very drab,

And fall a cursing, like a very drab,
A scullion,"

I will not interfere with the enjoyment which they find in such exposure of themselves. The have certainly given us a taste of their characters. Two of them, the Senator from South Carolina, (Mr. Butler,) who sits immediately before me, and the Senator from Virginia, (Mr. Mason,) who sits immediately behind me, are not young. Their heads are amply crowned by time. They did not speak from any ebullition of youth, but from the confirmed temper of age. It is melancholy to believe that, in this debate, they showed themselves as they are. It were charitable to believe that they are in reality better than they showed themselves.

than they showed themselves.

I think, sir, that I am not the only person on this floor who, in Intely listening to these two self-confident cham-pions of the pecuhar fanaticism of the South, was re-minded of the striking words by Jefferson, picturing the influence of slavery, where he says:

influence of slavery, where he says:

"The whole commerce between master and slave is a perpetual exercise of the most boisterous passions, the most unremitting despotism on the one part and degrading submission on the other. Our children see this, and learn to imitate it; for man is an imitative animal. The parent storms, the child looks on, catches the lineaments of wrath, puts on the same airs in the circle of smaller slaves, gi es loose to his worst passions, and, thus nursed, educated, and daily exercised in tyranny, cannot but be stamped by it with odious peculiarities. The man must be a predigy who can retain his manners and morals undepraved by such circumstances."

Nobody who witnessed the Senator from South Caro-

Nobody who witnessed the Senator from South Carolina or the Senator from Virginia in this debate will place lina or the Senator from Virginia in this debate will place either of them among the "prodigies" described by Jefferson. As they spoke, the Senate chamber must have seemed, in the characteristic fantasy of the moment, a plantation well stocked with slaves, over which the lash of the overseer had free swing. Sir, it gives me no pleasure to say these things. It is not according to my nature. Bear witness that I do it only in just self-defence against the unprecedented provocations of this debate. If Senators expect, by any arder of menage or by any tyrannical frown, to shake my fixed resolve, they expect

There was perhaps little that fell-from these two champions, as the fit was on, which deserves reply. Certainly not the hard words they used so readily and congenially. The veteran Senator from Virginia (Mr. Mason) complained that I had characterized one of his "constituents," a person who went all the way from Virginia to Boston pursuit of a slave, as a slave-hunter. Sir, I choose to call things by their right names. White I call white, and black I call black. And where a person degrades himself to the work of chasing a fellow-man who, under the inspiration of freedom and the guidance of the north star, has sought a freeman's home far away from the coffic and the chain, that person, whomsoever he may be, I call a slave-hunter. If the Senator from Virginia, who professes nicety of speech, will give me any term which more precisely describes such a person, I will use it. Until then I shall continue to use the language which seems to me so apt. But this very sensibility of the veteran Senator at a just term, which truly depicts an odious character, shows a shame in which I exult. It was said by one of the philosophers of antiquity that the blush is a sign of virtue; and permit me to add that, in this violent sensibility, I recognise a blush mantling the cheek of the Senstor which even his plantation manners cannot

And the venerable Senator from South Carolina, too, (Mr. BUTLER,) he has betrayed his sensibility. Here let me say that this Senator knows well that I always listen with peculiar pleasure to his racy and exuberant speech, as it gurgles forth—sometimes tinctured by generous ideas—except when, forgetful of history and in defiance of reason, he undertakes to defend that which is obviously indefensible. The Senator was disturbed when to his inhead of the set hims. indefensible. The Senator was disturbed when to his inquiry, personally, pointedly, and vehemently addressed to me, whether I would join in returning a fellow-man to slavery, I exclaimed, "Is thy servant a dog, that he should do this thing?" In fitful phrases, which seemed to come from the unconscious excitement so common with the Senator, he shot forth various remarks about "dogs;" and, among other things, asked if there was any "dog" in the Constitution? The Senator did not seem to bear in mind, n the heady currents of that moment, that, by the false interpretation he has given to the Constitution, he has helped to nurture there a whole kennel of Carolina bloodhounds, trained, with savage jaws and inexorable scent, for the hunt of flying bondmen. No, sir. I do not be-lieve that there is any "kennel of blood-hounds" or even

for the hunt of flying bondmen. No, sir. I do not believe that there is any "kennel of blood-hounds" or even
any "dog" in the Constitution of the United States.

But, Mr. President, since the brief response which I
made to the inquiry of the Senator, and which leaped
unconsciously to my lips, has drawn upon me various attacks, all marked by grossness of language and manner;
since I have been charged with openly declaring my purpose to violate the Constitution and to break the oath
which I have taken at that desk, I shall be pardoned for
showing simply how a few plain words will put all this which I nove taken at that dees, I shall be partoned for showing simply how a few plain words will put all this down. The authentic report in the Globe shows what was actually said; the report in the Sentinel is sub-stantially the same; and one of the New York papers, which has been put into my hands since I entered the which has been put into my hands since I entered the Senate chamber to-day, under its telegraphic head, states Senate chamber to-day, under its telegraphic head, states the incident with substantial accuracy, though it omits the personal individual appeal addressed to me by the Senator, and which is preserved in the Globe. To any candid mind either of these reports renders any thing further superfluous. But the Senators who have been so swift in misrepresentation deserve to be exposed, and it shall be done.

Here is his triumphant reply:

"If the opinion of the Supreme Court covers the whole ground of this act, it ought not to control the co-ordinate authorities of this Government. The Congress, the Executive, and the Court must each for itself be guided by its own opinion of the Constitution. Each public officer who takes an oath to support the Constitution succers that he will support it as he anderstands it, and not as it is understood by others. It is as much the duty of the House of Representatives, of the Senate, and of the President to decide upon the constitutionality of any bill or resolution which may be presented to them for passage or approval, as it is of the supreme judges when it may be brought before them for judicial decision. The authority of the Supreme Court must not, therefore, be permitted to control the Congress or the Executive, when acting in their legislative capacities, but to have only such influence as the force of their reasoning may deserve."

Mark these words, and let them sink into your minds. "Each public officer who takes an oath to support the Constitution weers that he will support it as he understands it, and not as it is understood by others." Yes, sir, as HE understands II, and not as it is understood by others. Does any Senator here dissent from this rule?

sir, as he understands it, and not as it is understood by others. Does any Senator here dissent from this rule? Does the Senator from this rule? Does the Senator from this rule? South Carolina? [Here Mr. Sumer paused, but there was no reply.] At all events, I accept the rule as just and reasonable; in harmony, too, let me assert, with that liberty which scorns the dogma of passive obedience and asserts the inestimable right of private judgment, when asserts the inestimable right of private judgment, when the rule in her powerful civilization. Her few slaves were the rule replaced by the scorns the dogma of passive obedience and asserts the inestimable right of private judgment, when asserts the inestimable right of private judgment, when the rule in her powerful civilization. Her few slaves were the rule in her powerful civilization. Her few slaves were the rule in her powerful civilization. Her few slaves were the rule in her powerful civilization. Her few slaves were the rule in her powerful civilization. Her few slaves were the rule in her powerful civilization. Her few slaves were the rule as you understand it. Oh, no, sir. Or as the Senator from Virginia understands it, of manual no person was core born a shape of bloodheunds, or at least a "dog" in the senator from South Carolina understands it, "pawing to get free its hinder parte" in pursuit of a slave. No such thing. Sir, I swore to support it as I understand it, nor more, nor less.

misseported him and misrepresented what he said; when I know honorable Senstors around me, who have never chown themselves unworthy of their position or recercant to their duty to themselves or their country; who have never shown themselves unwilling to vindicate their honorable sentions; when I know that such men around me sustain me, and sustain that ruth of their assertions; when I know that such men around me sustain me, and sustain that reporter, and sustain the honorable Senator from Indians (Mr. Parrur) in the charge which he made, I should feel that I was false to my trust and to my duty, and accessory to a suppression of the truth, if I did not rise to sustain them. Sir, if this report were not tog out to the country, if it were confined to the halls of this Senate, I should not interpose, because I do not believe that that reporter's reputation would suffer in any conflict of versicity with the Senator from Massachusetts; but, as it will go abroad, where they are not tob do the qually known, and where the Senator's accidental emineace here may give greater weight to his word than the position of the reporter of this body gives to him, I feel it due to that gentleman is an an honest and an honorable man, to say that his report is true. I paid special attention to what fell from the lips of the Senator from Massachusetts, and I now say that he never qualified that denial. I say, as the life from the lips of the Senator should have the senator's accidental emineace here may give greater weight to his word than the position of the vertice of the feel of the senator should have the senator's accidental emineace here may give proving the senator's accide

does not impose upon me, as a Senator or citizen, any obligation to take part, directly or indirectly, in the surrender of a fugitive slave.

Sir, as a Senator, I have taken at your desk the oath to
support the Constitution, as I understand it. And, understanding it as I do, I am bound by that oath, Mr. President to approxe all expectments by Compress or the shipset. etanding it as I do, I am bound by that oath, Mr. President, to oppose all enactments by Congress on the subject of fugitive slaves as a flagrant violation of the Constitution; especially must I oppose the last act as a tyrannical usurpation, kindred in character to the stamp act, which our fathers indignantly refused to obey.

Here my duties under the cash which I have taken as

Here my duties under the oats which I have taken as a Senator end. There is nothing beyond. They are all absorbed in the constant, inflexible, righteous obligation to oppose every exercise by Congress of any power over the subject. In no respect, by that oath, can I be constrained to duties in other capacities, or as a simple citizen, especially when revolting to my conscience. Now, in this interpretation of the Constitution I may be wrong; others may differ from me; the Senator from South Carolina may differ from me, and the Senator from South Carolina also; and they will, each and all, act according to their respective understandings. For myself, I shall act according to mine. On this explicit statement of my constitutional obligations I stand as upon a rock, and to the inquiry, in whatever form, addressed to my personal responsibility, whether I would aid, directly or indirectly, in reducing or surrendering a fellow-man to bondage, I sponsionity, whether I would aid, directly or indirectly, in reducing or surrendering a fellow-man to bondage, I reply again, "Is thy servant a dog, that he should do this thing?"

And, sir, looking around upon this Senate, I might ask,

And, sir, looking around upon this Senate, I might ask, fearlessly, how many there are, even in this body, if indeed there be a single Senator, who would stoop to any such service? Until some one rises and openly confesses his willingness to become a slave-hunter I will not believe that there can be one. [Here Mr. SUMNER paused, but nobody rose.] And yet honorable and chivalrous Senators have rushed headlong to denounce me because I openly declared my repudiation of a service at which every manly bosom must revolt!

"Sire, I have found in Bayonne brave soldiers and good citizens, but not one executioner," was the noble reply

good citizens, but not one executioner," was the noble reply of the Governor of that place to Charles IX. of France,

of the Governor of that place to Charles IX. of France, after the royal edict for the massacre of St. Bartholomew; and such a spirit I trust will yet animate the people of this country when pressed to the service of "dogs!"

To that other question which has been proposed, whether Massachusetts, by State laws, will carry out the oftensive clause in the Constitution, according to the understanding of the venerable Senator from South Carolina, I reply that Massachusetts at all times has been ready to do her duty under the Constitution as she understands it, and I doubt not will ever continue of this mind. More and I doubt not will ever continue of this mind. Mor-

than this I cannot say.

In quitting this topic I cannot forbear to remark that the assault on me for my disclaimer of all constitutional obligation resting upon me as a Senator or citizen to aid in making a man a slave, or in surrendering him to slavery, comes with an ill-grace from the veteran Senator from Virginia, a State which, by its far-famed resolutions of 1798, assumed to determine its constitutional obligations even to the extent of openly declaring two different acts of Congress null and void; and it comes also with an ill-grace from the venerable Senator from South Carolina, a State which in latter days has arrayed itself open-ly against the Federal authorities, and which threatens

Surely the Senator from South Carolina, with his silver-white locks, would have hesitated to lead this assault upon me had he not for the moment been entirely oblivious of me had he not for the moment been entirely oblivious of the history of the State which he represents. Not many years have passed since an incident occurred at Charleston, in South Carolina—notat Boston, in Massachusetts—which ought to be remembered. The postmaster of that place, acting under a controlling public opinion there, informed the head of his Department at Washington that he had determined to suppress all anti-slavery publications, and requested instructions for the future. Thus, in violation of the laws of the land, the very mails were rifled, and South Carolina smiled approbation of the outroge. But this is not all. The Postmaster General, Mr. Kendall, after prudently alleging that, as he had not seen the paafter prudently alleging that, as he had not seen the pa-pers in question, he could not give an opinion of their character, proceeded to say that he had been informed that they were incendiary, inflammatory, and insurrectionary, and then announced-"By no act or direction of mine, official or private, could I

of this description, directly or indirectly. We one on obligation to the lane, but a higher one to the communities in which we live; and if the former be perverted to destroy the latter it is patriotism to disregard them. Entertaining these views, I cannot sanction and will not condemn the step you have

"Sir, when blood was shed upon

Such was the approving response of the National Govenment to the postmaster of Charleston, when for the sake of slavery, and without any constitutional scruple, he set himself against an acknowledged law of the land. Yet the Senator from South Carolina now presumes to denounce me, when, for the sake of freedom, and in the boards interpretation of my constitutional adjusting the property of the sake of honest interpretation of my constitutional obligations. I decline an offensive service.

- But there is another incident in the history of South

But there is another incident in the history of South Carolina which, as a loyal son of Massachusetts, I cannot forget, and which rises now in judgment against the ven-erable Senator. Massachusetts had commissioned a dis-tinguished gentleman, of blameless life and eminent pro-fessional qualities, who served with honor in the other a brief period, in order to guard the rights of her free colored citizens, assalled on arrival there by an inhospitable statute, so gross in its provisions that an eminent oble statute, so gross in the several states, and the free States.

The direct attack upon the constitution fancied delinquencies of Massachusetts towards slave-hunters, and also by my own refusal to render them any nunters, and also by my own refusal to render them any "aid or comfort;" he showers questions in volleys, assumes to measure our duties by his understanding, and ejaculates a lecture at Massachusetts and myself. Bir, before that venerable Schator again does this let him referr to his own State, seamed all over with the rents left. by nullification, and first lecture there. Let him look into his own heart, and lecture to himself.

his own heart, and lecture to himself.

But enough for the present on this head of the extent of my constitutional obligations to become a slave-hunter. There are, however, yet other things in the assault of the venerable Senator which, for the sake of truth, in just defence of Massachusetts, and in honor of freedom, shall not be left unanswered. Alluding to those days when Massachusetts was illustrated by Otis, Hancock, and "the brace of Adamsea;" when Fancull Hall sent forth echoes of liberty which resounded even to South Carolina, and of liberty which resounded even to South Carolina, and the very stones in the streets of Boston rose in mutiny against tyranny, the Senator with the silver white locks, in the very ecstacy of slavery, broke forth in the ejacula-tion that Massachus, tts was then "slaveholding;" and the presumed to bell, these matrices of representatives of two characteristics are a aconsistent as weakness and strength, as sickness and health, I had almost said as

Boston thip had brought home two negroes seized on the coast of Guinea. Thus spoke Massachusetts:

"The General Court, conceiving themselves bound by the first apportunity to bear witness against the heinous and crying an of man stealing, also to prescribe such timely redrefer that is past, and such a law for the future as may sufficient deter all those belonging to us to have to do in such vite an mostodiess conduct, justly abhoved of all good and just med do order that the negro interpreter, with others unlawfull takes, be, by the first opportunity, at the charge of the country, for the present, sent to his native country of Guinea, and a letter with him of the indignation of the Counthersatout and justice thereof."

The Colony that could issue this noble decree was in The Colony that could issue this noble decree was in-neistent with itself when it allowed its rocky face to be essed by the footsteps of a single slave. But a righteous

pressed by the footsteps of a single slave. But a righteous public opinion early and constantly set its face against slavery. As early as 1701 a vote was entered upon the records of Boston to the following effect: "The Representatives are desired to promote the encouraging the bringing of white servants, and to put a period to negroes being slaves." Perhaps, in all history, this is the earliest testimony from any official body against negro slavery, and I thank God that it came from Bostom, my native town. In 1705 a heavy duty was imposed upon every negro imported into the province; in 1712 the importation of indians as servants or slaves was strictly forbidden; but the general subject of slavery attracted little attenof Indians as servants or slaves was strictly forbidden; but the general subject of slavery attracted little attention till the beginning of the controversy which ended in the Revolution, when the rights of the blacks were blended by all true patriots with those of the whites. Sparing all unnecessary details, suffice it to say that, as early as 169, one of the courts of Massachusetts, anticipating, by several years, the renowned judgment in Somersett's case, established within its jurisdiction the principle of chancipation, and, under its touch of magic power, changed a slave into a freeman. Similar decisions followed in other places. In 1776 the whole number of blacks, both free and slave, sprinkled thinly over "hardy" Macks, both free and slave, sprinkled thinly over "hardy"
Massachusetts, was five thousand two hundred and fortysine, being to the whites as one is to sixty-five; while in
"slaveholding" South Carolina the number of negro
slaves at that time was not far from one hundred thouslaves at that time was not far from one hundred thousand, being nearly one slave for every free man, thus rendering that Colony any thing but "hardy." At last, in 1780, even before the triumph of Yorktown had led the way to that peace which set its seal upon our national independence, Massachusetts, animated by the struggles of the Revolution and filled by the scatiments of freedom, placed in front of her Bill of Rights the emphatic words that "all sen are born free and equal," and by this declaration exterminated every vestige of slavery within her borders. All hail, then, to Massachusetts, the just and generous Commonwealth in whose behalf I have the honor to speak!

Thus, sir, does the venerable Senator err when he presumes to vouch Massachusetts for slavery, and to associate this odious institution with the names of her great patriots.

patriots.

Mr. ROCKWELL. Will my honorable colleague allow me to send to the Chair and have read, in connexion with his present remarks, a passage from Graham's History of the United States? Mr. SUMNER. I do not know the passage to which

my colleague refers, but I welcome any interruption from

The SECRETARY read as follows:

The Secretary read as follows:

"Among other subjects of dispute with the British Government and its officers was one more creditable to Massachusetts than even her magnanimous concern for the liberty of her citizens and their fellow-colonists. Negro slavery still subsisted in every one of the American provinces, and the unhappy victims of this yoke were rapidly multiplied by the progressive extension of the slave trade. Georgia, the youngest of all the States, contained already fourteen thousand negroes; and in the course of the present year alone more than six thousand were imported into South Carolina. In New England the number of slaves was very insignificant, and their treatment so mild and humane as in some measure to veil from the public eye the iniquity of their bondage. But the recent discussions with regard to liberty and the rights of human nature were calculated to awaken in generous minds a juster impression of negro slavery; and, during the latter part of Governor Bernard's administration, a bill prohibitory of all traffic in negroes was passed by the Massachusetts Assembly. Bernard, however, in conformity with his instructions from the Crown, refused to affirm this law; and thus opposed himself to the virtue as well as to the liberty of the people whom he governed.

"On three subsequent occasions laws abolishing the slave trade were passed by the same Assembly during Hutchinson's administration; but all were in like manner negatived by the Governor. And yet it was at this very period, when Britain permitted her merchants annually to make slaves of more

Governor. And yet it was at this very period, when Britain permitted her merchants annually to make slaves of more than fifty thousand men, and refused to permit her colonies than fifty thousand men, and refused to permit her colonies to decline a participation in this injustice, that her orators, poets, and statesmen loudly celebrate the generosity of English virtue in suffering no slaves to exist on English ground, and the transcendent equity of her judicial tribunals in liberating one negro who had been carried there. Though Massachusetts was thus prevented from abolishing the slave trade, the relative discussions that took place were by no means unproductive of good. A great amelieration became visible in the condition of all the negroes in the province; and most of the proprietors gave liberty to their slaves. This just action the proprietors gave liberty to their slaves. This just action—
for such and such only it deserves to be termed—has obtained
hitherto scarcely any notice from mankind, while the rubesquent and similar conduct of the Quakers in Pennsylvania
has been celebrated with warmth and general encomium. So
caprisious is the distribution of fame, and so much advantage
does the reputation of virtue derive from alliance with sectaiarian spirit and interest."

Mr. SUMNER. I am obliged to my colleague. The extract is in substantial conformity with clear historic truth, which the Senator from South Carolina, in one of his oratorical effluxes, has impeached. But the venerato "slaveholding" communities a leading part in those contributions of arms and treasure by which independence was secured. Here are his exact words, as I find them

"Sir, when blood was shed upon the plains of Lexirgton and Concord, in an issue made by Boxton, to whom was an appeal made, and from whom was it answered? The answer is found in the acts of slaveholding States—animis opibusque parati. Yes, sir, the independence of America, to maintain republican liberty, was won by the arms and treasure, by the patriotism and good faith of slaveholding communities."

Mark the language, sir, as emphasized by himself. from the outrage of the Nebraska bill, cannot stand here and proclaim "the good faith of slaveholding communities" except in irony. Yes, sir, in irony. And let me add that when this Senator presumes to say that American independence "was won by the arms and treasure of slaveholding communities," attributing to this element any influence deserving praise and not condemnation, he speaks either in irony or in ignorance.

The question which the veteran Senator from South

civilization, and directed shafts at Massachusetts, which called to his feet my distinguished colleague at that time, (Mr. Evenert,) and which more than once compelled me to take the floor. And now, sir, the venerable Senator, not rising from his seat and standing openly before the Senate, ventures to deny that he has dealt in such comparisons.

Mr. BUTLER. Will the Senator allow me?

Mr. SUMNER. Certainly; I yield the floor to the Senator.

Mr. BUTLER. Whenever that speech is read—and I wish the Senator had read it before he commented on it with a good deal of rhetorical enthusiasm—it will be found that I was particular not to wound the feelings of found that I was particular not to wound the feelings of the Northern people who were sympathixing with us in the great movement to remove odious distinctions. I was careful to say nothing that would provoke invidious comparisons; and when that speech is read, notwithstanding the vehement assertion of the honorable Senator, he will find that when I quoted the laws of Massachusetts, particularly one act which I termed the totics quotics act, by which every negro was whipped every time he came into Massachusetts, I quoted them with a view to show not a contrast between South Carolina and Massachusetts, but to show that, in the whole of this country, from the beginning to this time—even in my own State; I made no tion that Massachus, its was then "slaveholding," and he presumed to hall these patriots as representatives of he presumed to hall these patriots." Sir, I repel the "hardy, slaveholding Massachusetts." Sir, I repel the imputation. It is true that Massachusetts was "hardy," in the whole of this time—even in my own State; I made no exception—public opinion had undergone a change, and that it had undergone the same change in Massachusetts, for at one time they did not regard this institution of slave been so she could not have been "hardy." The had she been so she could not have been "hardy." The had she been so she could not have been "hardy." The had she been so she could not have been "hardy." The two characteristics are a nonsistent as weakness and two characteristics are a nonsistent as weakness and strength, as sickness and health, I had almost said as strength, as sickness and health, I had almost said as an orntor of fairness to look at it and see if it is not so.

arrow at Massachusetts. It is he, then, who is the offender. For myself, sir, I understand the sensibilities of Senators from slaveholding communities, and would not would them by a superfluous word. Of slavery I speak strongly, as I must; but thus far, even at the expense of my argument, I have avoided the contrasts, founded on details of figures and facts, which are so so obvious between the free States and "slaveholding communities;" ling."—Vol. 2, p. 258. tween the free States and "slaveholding communities;" especially have I shunned all allusion to South Carolina. But the venerable Senator, to whose discretion that State has entrusted its interests here, will not allow me to be

God forbid that I should do injustice to South Caroli-God foreid that I should do injustice to South Carolina. I know well the gallantry of many of her sons. I know the response which she made to the appeal of Boston for union against the stamp act, the fugitive slave act of that day, by the pen of Christopher Gadsden. And I remember with sorrow that this patriot was obliged to confess at the time her "weakness in having such a number of slaves," though it is to his credit that he recognised slavery as a "crime." (Bancroft's History of the United States, vol. 5, p. 426.) I have no pleasure in dwelling on the humiliations of South Carolina. I do not desire to expose her sores. I would not lay I do not desire to expose her sores. I would not lay bare her nakedness. But the Senator, is his vaunt for "slaveholding communities," has made a claim for slave-ry which is so inconsistent with history, and so deroga-tory to freedom, that I cannot allow it to pass unan-

This, sir, is not the first time, even during my little experience here, that the same claim has been made on this floor; and this seems more astonishing because the archives of the country furnish such ample and undoubted materials for its refutation. The question of the comparative contributions of men by different States and sections of the country in the war of the Revolution was brought forward as early as 1790, in the first Congress under the Constitution, in the animated and protracted debate on the assumption of State debts by the Union. On this occasion Fisher Ames, a representative from Mas-sachusetts, memorable for his classic eloquence, moved sachusetts, memorable for his classic eloquence, moved for a call upon the War Department for the number of men furnished by each State to the revolutionary armies. This motion, though vehemently opposed, was carried by a small majority. Shortly afterwards the answer to the call was received from the Department, at that time under the charge of Gen. Knox. This answer, which is one of the documents of our history, places beyond cavil or criticism the exact contribution in arms of each State. Here it is:

Statement of the number of troops and militia furnished be the several States for the support of the Revolutionar war from 1775 to 1783, inclusive:

| | States. | Number of continental troops. | Number of militia. | Total number of militia and confinental troops. | Conjectural estimate of militia. |
|-----------|----------------|-------------------------------------|--------------------|--|--|
| | New Hampshire | 12,496 | | | 3,760 |
| Northern. | Massachusetts | 67,937 | | | 9,500 |
| | Rhode Island | 5,908 | | | 1,500 |
| | Connecticut | 32,039 | | | 3,000 |
| | New York | 17,781 | 3,312 | | 8,750 |
| | Pennsylvania | 25,608 | | | 2,000 |
| | New Jersey | 10,727 | 6,055 | 16,782 | 2,500 |
| | Total | 172,496 | 46,048 | 218,553 | 80,950 |
| Southern. | Delaware | 2,387 | 376 | 2,763 | 1,000 |
| | Maryland | 13,912 | 5,464 | | 4,000 |
| | Virginia | 26,672 | | | 21,880 |
| | North Carolina | 7,263 | 2,716 | | 12,000 |
| | South Carolina | 5,508 | | 5,508 | 28,000 |
| | Georgia | 2,679 | | 2,679 | 9,930 |
| | Total | 58,421 | 12,719 | 71,130 | 76,810 |

It should be understood that, at this time, there was of the Southern States and that of the Northern States By the census of 1790 the Southern had a population of 1,956,354; the Northern had a population of 1,968,455 But notwithstanding this comparative equality of population in the two sections, the North furnished vastly more men than the South.

Of continental troops, the Southern States furnished 58,421; the Northern furnished 172,496; making about three menfurnished to the continental army by the Northern States to one from the Southern.
Of militia, whose services are authenticated by the

War Office, the Southern States furnished 12,719; the Northern furnished 46,048; making nearly four men furnished to the militia by the Northern States to one from the Southern.
Of militia, whose services were not authenticated by

the War Office, but are set down in the return as conjec-tural only, we have 76,810 farnished by the Southern States, and 30,950 furnished by the Northern; making, under this head, more than two men furnished by the Southern to one from the Northern. The chief services of the Southern States, it will be observed with a smile,

were conjectural only!

Looking, however, at the sum total of continental troops, authenticated militia and conjectural militia, we have 147,940 furnished by the Southern States, while 249,503 were furnished by the Northern; making 100,000 men furnished to the war by the Northern more than the

But the disparity swells when we directly compare South Carolina and Massachusetts. Of continental troops, and authenticated militia and conjectural militia, South Ca-92,592; making in the latter sum total nearly three men 92,592; making in the latter sum total nearly three men for one furnished by South Carolina. Look, however, at the continental troops and the authenticated militia furnished by the two States, and here you will find only 5,508 furnished by South Carolina, while 83,092 were furnished by Massachusetts, being sixteen times more than by South Carolina, and much more than by all the Southern States together. Here are facts and figures of which the

Senator ought not to be ignorant.

Did the occasion require, I might go further and minutely portray the imbecility of the Southern States, and particularly of South Carolina, in the war of the Revolution, as compared with the Northern States. This is a sad chapter of history, upon which I unwillingly dwell. Paithful annals record that, as early as 1778, the six South Carolina regiments, composing, with the Georgia regiment, the regular force of the Southern department, did not in the whole muster above eight hundred men; nor was it possible to fill up their ranks. During the su ceeding year the Governor of South Carolina, pressed by the British forces, offered to stipulate the neutrality of

"Those whose true interest it was to have informed Congress and the people to the northward of the real state of things have joined in the deception, and magnified the strength and resources of this country infinitely above their ability. Many of those who adhere to our party are so fond of pleasure that they cannot think of making the necessary sacrifices to support the Revolution. There are many good and virtuous people to the southward; but they cannot animate the inhabitants in general as you can to the northward."—Gordon's History of American Revolution, vol. 4, page 87.

Writing to Col. Davies, under date of 23d May, 1781, he exposes the actual condition of the country:

he exposes the actual condition of the country :

he exposes the actual condition of the country:

"The animosity between the Whigs and Torics of this State renders their situation truly deplorable. There is not a day passes but there are more or less who fall a sacrifice to this savage disposition. The Whigs seem determined to extirpate the Torice and the Torics the Whigs. Some thousands have fallen in this way in this quarter, and the evil rages with more violence than ever. If a stop cannot be soon put to these massacres the country will be depopulated in a few months more, as neither Whig nor Tory can live." To Lafayette, Gen. Greene, under date of 29th Dec

ber, 1780, describes the weakness of his troops:

"It is now within a few days of the time you mentioned of being with me. Were you to arrive you would find a few ragged, half-starved troops in the wilderness, destitute of every thing nesessary for either the comfort or convenience of soldiers."

""The country is almost laid waste, and the inhabitants plunder one another with little less than savage fury. We live from hand to mouth, and have nothing to subsist on but what we collect with armed parties. In this situation I believe you will agree with me there is nothing inviting this way, especially when I assure you our whole force fit for duty that are properly clothed and properly equipped does not amount to eight hundred men."—Johnson's Life of Greene, vol. 1, p. 340.

Writing to Mr. Varnum, a member of Congress, he

Writing to Mr. Varnum, a member of Congress, he

"There is a great spirit of enterprise prevailing among the militia of these Southern States, especially with the volunteers. But their mode of going to war is so destructive that it is the greatest folly in the world to trust the liberties of a people to such a precarious defence."—Johnson's Life of Greene, vol. 1, p. 397.

Nothing can be more authentic or complete than this tea-timony. Here also is what is said by David Ramsay, an estimable citizen of South Carolina, in his history of the

The military weakness of this "slaveholding com The military weakness of this "slaveholding community" is too apparent. Learn now its occasion; and then join with me in amazement that a Senator from South Carolina should attribute our independence to any thing "slaveholding." The records of the country and various voices all disswa his suggestion. The State of South Carolina, by authentic history, disswaps it. Listen, if you please, to peculiar and decisive testimony, under date of March 29, 1779, from the Secret Journal of the Continental Congress. tal Congress:

tal Congress:

"The committee appointed to take into consideration the eircumstances of the Southern States, and the ways and means for their safety and defence, report that the State of South Carolina (as represented by the delegates of the said State, and by Mr. Huger, who has some here at the request of the Governor of the said State, on purpose to explain the ircumstances thereof) is unable to make any effectual efforts with militia, by reason of the great proportion of citizens necessary to remain at home to prevent insurrection among the negroes, and to prevent the desertion of them to the enemy. That the state of the country, and the great number of these people among them, expose the inhabitants to great danger, from the endeavors of the enemy to excite them to revolt or desert."—Vol. 1, p. 105. sert."- Vol. 1, p. 105.

Here is South Carolina secretly disclosing her military weakness and its occasion; thus discoving her mintary weakness and its occasion; thus discoving, in advance, the vaunt of her Senator, who finds strength and gratulation in slavery rather than in freedom. It was during the war that she thus shrived herself, on her knees, in the confessional of the Continental Congress. But the same important admission was made in debate, on the floor of Congress, 30th March, 1790, some time after the war, by Mr. Burke, a Representative from South Carolina:

"There is not a gentleman on the floor who is a stranger to Incre is not a gentleman on the more was it a stranger to the feeble situation of our State when we entered into the war to oppose the British power. We were not only without money, without an army or military stores, but we were few in number, and likely to be entangled with our domestics, in case the enemy invaded us."—Annals of Congress, 1789, 1791, volume 2, page 1484.

Similar testimony to the weakness engandered by slavery was also borne by Mr. Madison in debate in Congress:

"Every addition they [Georgia and South Carolina] re-ceive to their number of slaves tends to meaken them, and ren-der them less capable of self-defence."—Annals of Congress, vol.

1, page 340.

The historian of South Carolina, Dr. Ramsay, a contemporary observer of the very scenes which he describes, exposes this weakness:

"The forces under the command of Gen. Provost marche "The forces under the command of Gen. Provost marched through the richest settlements of the State, where are the fewest white inhabitants in proportion to the number of slaves. The haptess Africans, allared with the hope of freedom, forces their owners, and repaired in great numbers to the royal army. They endeavored to recommend themselves to their new masters by discovering where their owners had concealed their property, and were assisting in carrying "off."—History of South Carolina, volume 1, page 312.

And the same candid historian, describing the invasion of the next year, says:

"The slaves a second time flocked to the British army."-

And at a still later day Mr. Justice Johnson, of the Supreme Court of the United States, and a citizen of South Carolina, in his elaborate life of Gen. Greene. speaking of negro slaves, makes the same admission

"But the number dispersed through these [Southern] States was very great; so great as to render it impossible for the citizens to muster freemen enough to withstand the pressure of the British arms."—Vol. 2, p. 472.

Surely, sir, this is enough, and more. Thus from authentic documents we learn the small contributions of men and the military weakness of the Southern States, particularly of South Carolina, as compared with the Northern States; and from the very lips of South Carolina, na, on four different eccasions, speaking by a committee, by one of her Representatives in Congress, by her historian, and by an eminent citizen, we have the confession not only of weakness, but that this weakness was cond not only of weakness, but that this weakness was caped by slavery. And yet, in the face of this cumulative and unimpeachable testimony, we are called to listen in the American Senate to a high-flying boast from a venerable Senator that American independence was achieved by the arms and treasure of "slaveholding communities;" an assumption baseless as the fabric of a vision, in any way it may be interpreted; whether as meaning boldly that independence achieved by these Senthan States which it may be interpreted; whether as meaning boldly that independence was achieved by those Southern States which
were the peculiar home of slavery, or that it was achieved
by any strength or influence which came from that noxious source. Sir, I speak here for a Commonwealth of
just renown, but I speak also for a cause which is more
than any Commonwealth, even that which I represent;
and I cannot allow the Senator, with his silver-white
locks, to discredit either. Not by slavery, but in spite of
it, was independence achieved. Not because, but notwithstanding there were "slaveholding communities" did
triumph descend upon our arms. It was the inspiration
of liberty universal that conducted us through the red
sea of the Revolution, as it had already given to the Declaration of Independence its mighty tone, resounding
through the ages. "Lot it be remembered," said the
nation, speaking by the voice of the Continental Congress
at the close of the war, "that it has ever been the pride and boast of America that the rights for which she has

contended were THE RIGHTS OF WUMAN MATURE!" Yes, sir, in this behalf, and by this sign, we conquered.

Such, sir, is my answer on this head to the Senator from South Carolina. If the work which I undertook has been done thoroughly, he must not blame me. Whatever I undertake I am apt to do thoroughly. But, while thus repelling the insinuations against Massachusetts and the assumptions for slavery, I would not unnecessarily touch the sensibilities of that Senator, or of the State which he represents. I cannot forget that amidst all diversities of opinion we are bound together by the ties of a common country; that Massachusetts and South Carolina are siscountry; that Massachusetts and South Carolina are sis-ter States, and that the concord of sisters ought to pre-vail between them; but I am constrained to declare that I have throughout this debate sought in vain any token of that just spirit which, within the sphere of its influence, is calculated to promote the concord alike of States and individuals individuals.

And now, for the present, I part with the venerable

And now, for the present, I part with the venerable Senator from South Carolina. In pursuing his inconsistencies, and in exposing them to judgment, I had almost forgotten his associate leader in the wanton personal assault to which I have been exposed—I mean the veteran Senator from Virginia, (Mr. Masos.) who is now directly in my eye. With imperious look, and in the style of Sir-Forcible Feeble, that Senator has undertaken to call in question my statement that the fugitive slave bill denied the writ of habeas corpus, and, in doing this, he has as-sumed a superiority for himself which, permit me to tell him now in this presence, nothing in him can sanction. Sir, I claim little for myself; but I shrink in no respect setts never saw the smoke of an enemy's camp.

At last, by the military genius and remarkable exertions of Gen. Greene, a Northern man, who assumed the command of the Southern army, South Carolina was rescued from the British power. But the trials of this successful leader reveal, in a striking manner, the weakness of the "slaveholding" State which he saved. Some of these are graphically presented in his letters. Writing to Gow. Reed, of Pennsylvania, under date of 3d May, 1781, he says:

"Those whose true interest it was to have informed Congress and the people to the northward of the real state of things have joined in the deception, and magnifed the strength and resources of this country infinitely above their ability. Many of those who adhere to our party are so fond of pleasure that they cannot think of making the necessary sacrifices to support the Revolution. There are many good and virtuous people to the southward; but they cannot animate the inhabitants in general as you can to the porthward."—Gordon's History leaves the state of the southward; but they cannot animate the inhabitants in general as you can to the porthward."—Gordon's History

question.

Mr. President. I welcome the sensibility which the Sen Mr. President, I welcome the sensibility which the Senator from Virginia displays at the exposure of the fugitive slave bill in its true character. He is the author of that enormity. From his brain came forth the soulless monster. He is, therefore, its natural guardian. The Senator is, I believe, a lawyer. And now, since he has shown a disposition to meet objections to that offspring, he must not stop with the objection founded on the denial of the habeas corpus. It is true, sir, if any thing but slavery were in question, such an objection would be fatal; but it is not to be supposed that the partisans of an institution founded on a denial of hamman rights can appreciate the proper efficacy of that writ of freedom. Sir, I challenge the Senator to defend his progeny; not by assertion, but by reason. Let him rally all the ability, learning, and subtlety which he can command, and undertake the impossible work.

Let him answer this objection. The Constitution, by Let him answer this objection. The Constitution, by an amendment which Samuel Adams hailed as a protection against the usurpations of the National Government, and which Jefferson asserted was our "foundation corner-stone," has solemnly declared that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States prohibited by it to the States, are reserved to the States respectively, or to the people." Stronger words could not be employed to limit the powers under the Constitution and to protect the people from all assumptions of the National Government, particularly in derogation of freedom. By the Virginia resolutions of 1798, which the Senator is reputed to accept, this limitation of the powers of the National Government is recognised and enforced. The Senator himself is understood on all questions not affecting the claims of slavery to accept this rule in its utmost strictness. Let him now indicate, if he can, any article, clause, phrase, or word in the Constitution which gives to Congress any power to establish a "uniform law throughout the United States" on the subject of fugitive